



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 23/07/2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice SATHI KUMAR SUKUMARA KURUP

CRL OP(MD) . No.9871 of 2021

Sankaralingam

... Petitioner/1st Accused

Vs

State represented by
The Inspector of Police,
Aranthangi Police Station,
Aranthangi,
Pudukottai District.
(Crime No.30/2020)

... Respondent/Complainant

For Petitioner : Mr.K.C.Maniyarasu.
Advocate.

For Respondent : Mr.M.Muthu Manikkam,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-For Anticipatory bail in Crime No. 30/2020 on the file
of the Respondent Police

ORDER : The Court made the following order :-

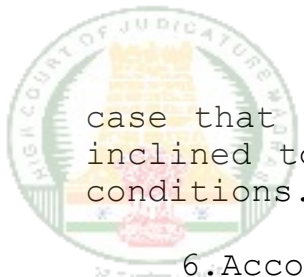
The petitioner/1st accused, who apprehends arrest at the hands
of the respondent police for the alleged offences punishable under
Sections 341, 294(b), 323 and 307 of IPC in Crime No.30 of 2020,
seeks anticipatory bail.

2.The case of the prosecution is that on 16.01.2020, when the
defacto complainant was returning to his home in his bike, the
accused persons had restrained him and attacked him with an
intention to kill him by using Aruval. Hence, the complaint.

3.The learned counsel for the petitioner submitted that due to
previous enmity, the defacto complainant had lodged a false
complaint. Further, he submits that the petitioner was no way
involved in the crime as alleged by the prosecution.

4.The learned Government Advocate (Crl.side) for the respondent
submits that the petitioner is having 6 previous cases.

5. Taking into consideration the facts and circumstances of the



case that the petitioner is having 6 previous cases, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Aranthangi on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the Keerathurai Police Station, Madurai daily at 10.00 a.m., until further orders;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**;

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
23/07/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1. THE JUDICIAL MAGISTRATE,
ARANTHANGI.

2. -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT.

3. THE INSPECTOR OF POLICE,
ARANTHANGI POLICE STATION,
ARANTHANGI, PUDUKOTTAI DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

5. THE INSPECTOR OF POLICE,
KEERATHURAI POLICE STATION,
MADURAI.

ORDER

IN

CRL OP(MD) No.9871 of 2021

Date : 23/07/2021

MM

RT/SRS/SAR-II/27.07.2021/3P/6C